

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**  
*Philadelphia Division*

IN RE:

CINDY S. VANDERBECK

Case No. 21-12461-elf  
Chapter 13

DEUTSCHE BANK NATIONAL TRUST  
COMPANY as Trustee for  
INDYMAC INDX MORTGAGE LOAN TRUST  
2006-AR27,  
MORTGAGE PASS-THROUGH CERTIFICATES  
Series 2006-AR27  
Movant

vs.

CINDY S. VANDERBECK,  
Debtor

**RESPONSE TO MOTION FOR AUTHORITY TO SELL REAL PROPERTY  
FREE AND CLEAR OF LINES AND ENCUMBRANCES**

COMES NOW, DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR27, Mortgage pass-Through Certificates Series 2006-AR27 (herein, “Respondent”) by and through undersigned counsel, and hereby responds to the Motion for Authority to Sell Real Property Free and Clear of Lines and Encumbrances [Doc. 28] filed on 12/22/2021 and in support thereof, shows unto the Court as follows:

1. Admitted.
2. Admitted.
3. Admitted.

4. Denied. Respondent does not have information necessary to admit or deny averment in paragraph 4. Strict proof is demanded at trial.

5. Admitted. By way of further answer, the averment set forth in this paragraph is substantiated by the Sales Agreement.

6. Admitted. By way of further answer, the averment set forth in this paragraph is substantiated by the Sales Agreement.

7. Admitted. By way of further answer, the averment set forth in this paragraph is substantiated by the Sales Agreement.

8. Denied. Respondent does not have information necessary to admit or deny averment in paragraph 8. Strict proof is demanded at trial.

9. It appears from the sale agreement that the sale price is enough to cover Respondent's total debt that was listed in its Proof of Claim. Respondent objects to any Order permitting sale of the property without the following:

- a. Respondent's lien is paid in full from the closing proceeds, pursuant to a proper payoff quote obtained prior to and good through the closing date; or
- b. Any short payoff is approved by Respondent; and
- c. Debtor shall have ninety (90) days from entry of the Order to sell the Real Property.

10. Respondent does not have information necessary to admit or deny the averment in Paragraph 10. Strict proof is demanded at trial.

**WHEREFORE**, Respondent respectfully requests that this Honorable Court approve the Motion for Authority to Sell Real Property Free and Clear of Lines and Encumbrances and for any other relief the Court deems just and proper.

This the 29th day of December, 2021

/s/ Andrew Spivack

Andrew Spivack

(Bar No. 84439)

Attorney for Creditor

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and exact copy of the foregoing Response To Motion For Authority To Sell Real Property Free And Clear Of Lines And Encumbrances has been electronically served or mailed, postage prepaid on this day to the following:

CINDY S. VANDERBECK  
385 BROWNSBURG RD  
NEWTOWN, PA 18940-9625

BRAD SADEK, Debtor's Attorney  
Sadek and Cooper  
1315 WALNUT ST STE 502  
PHILADELPHIA, PA 19107

Kenneth E. West, Bankruptcy Trustee  
1234 Market Street - Suite 1813  
Philadelphia, PA 19107

December 29, 2021

/s/ Andrew Spivack

Andrew Spivack  
(Bar No. 84439)  
Attorney for Creditor  
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**ORDER**

**AND NOW**, upon consideration of Debtor's Motion for Authority To Sell Real Property Free and clear of Liens and Encumbrances, and upon notice, and opportunity for hearing, and the responses thereto, the Motion is hereby **ORDERED** that the Motion is **CONDITIONALLY GRANTED** pursuant to the terms of this Order as follows:

It is **ORDERED** that the sale of Real Property located at **385 Brownsburg Road, Newtown, Pennsylvania** (the "Property") pursuant to the terms of the agreement of sale as more fully described in the Motion for Authority To Sell Real Property Free and clear of Liens and Encumbrances for the purchase price of \$718,000.00; and it is further

**ORDERED** that the mortgage lien of DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR27 shall remain a valid lien against the Property until it is paid in full; Debtor(s) shall have ninety (90) days from entry of the Order to sell the Real Property and it is further

**ORDERED** that the Debtor shall satisfy the mortgage lien of DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR27 by paying the full amount due subject to a payoff quote good through the settlement date.